

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6779

IN THE MATTER OF:

Served August 19, 2002

MICHAEL A. NKENG, Trading as ) Case No. MP-2002-91  
NKENG AND SONS, Revocation of )  
Certificate of Insurance and )  
Investigation of Suspension and )  
Revocation of Certificate No. 651 )

On November 19, 2001, respondent filed a WMATC Certificate of Insurance and Policy Endorsement (WMATC Endorsement) for \$1 million in primary coverage from one insurance company and a WMATC Endorsement for \$500,000 in excess coverage from a second insurance company. On July 29, 2002, the Commission received a certificate of insurance, but no WMATC Endorsement, for \$1.5 million in coverage from a third insurance company.

The July 29, 2002, certificate raises the issue of whether the first two policies have been cancelled or respondent is insuring separate vehicles under separate policies.

Under Regulation No. 58-09, the Commission may, upon thirty (30) days' notice, revoke its approval of any WMATC Endorsement if, in the judgment of the Commission, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public.

We will revoke respondent's WMATC Endorsement, effective thirty days after the date of this order. Respondent shall have until then to file one or more newly executed WMATC Endorsements and a list of revenue vehicles from the insurance company identified in each Endorsement.

THEREFORE, IT IS ORDERED:

1. That respondent's WMATC Endorsement is hereby revoked, effective thirty days from the date of this order.

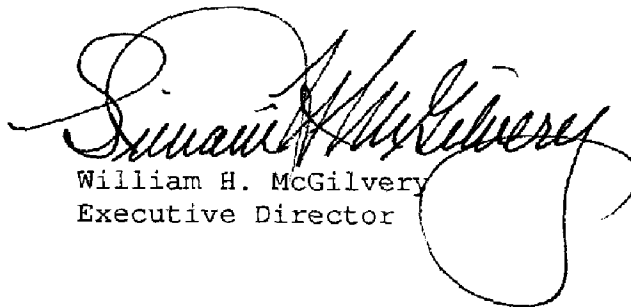
2. That respondent shall have thirty days from the date of this order to file one or more newly executed WMATC Endorsements and a list of revenue vehicles from the insurance company identified in each Endorsement.

3. That unless respondent complies with the requirements of this order within the time allowed, Certificate of Authority No. 651 shall be invalid and stand automatically suspended pursuant to Article XI,

Section 7(g), of the Compact and Commission Regulation No. 58-02 and shall be subject to immediate revocation without further proceedings.

4. That respondent may file within fifteen days from the date of this order a request for oral hearing, indicating the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

FOR THE COMMISSION:



William H. McGilvery  
Executive Director